

REMARKS

Claims 1-9, 11-42, 44-77, 79-104, 112, and 120 were pending and stand rejected. None of the claims has been amended.

Claims 1, 34, and 69

Claims 1-9, 11-16, 25, 34-42, 44-50, 60, 69-77, 79-85, and 95 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Zhao in view of Weaver. Applicant respectfully traverses.

Claim 1, which has not been amended, recites:

A system for editing a project comprising a plurality of media clips, comprising:
 an output device for displaying a timeline display, the timeline display comprising:
 an overview layer comprising first editable representations of at least a subset of the plurality of media clips that comprise the project, wherein the overview layer is oriented along an axis representing time, and wherein each first editable representation has a dimension along the first axis representing the temporal length of the media clip; and
 for each media clip, a track comprising a second editable representation of the media clip, wherein the track is oriented along the axis representing time, and wherein the second editable representation has a dimension along the first axis representing the temporal length of the media clip, and wherein the track and the overview layer are concurrently displayed; and
 an input device for receiving user input for editing the representations of the media clips and for controlling the timeline display, wherein editing a representation of a media clip manipulates the media clip.

As recited in claim 1, a “project” comprises a plurality of media clips (¶40). A system for editing the project comprises an output device (for displaying a timeline display) and an input device (for receiving user input). The timeline display (¶¶48-50; see element 403 in FIG. 5) comprises an overview layer (¶48; see element 400 in FIG. 5) and, for each media clip, a track (¶48; see elements 500A, 500B, 500C, 500D in FIG. 5). The overview layer and tracks each comprise an editable representation of a media clip (¶48; see elements 401A, 401B, 401C, 401D in FIG. 5). The overview layer and tracks, which are concurrently displayed, are each oriented along an axis

representing time. Each editable representation has a dimension along the first axis representing the temporal length of the media clip.

The input device is used to edit a representation of a media clip, and editing a representation of a media clip manipulates the media clip itself (§48). For example, by manipulating editable representations of clips, a user can organize clips to begin and end on selected frames (§40). The user can also control clips' durations and perform trim operations to edit the clips (§40). The user can interact with editable representations of clips to lengthen or shorten clips, move clips around, edit clips, or delete clips (§47).

Neither Zhao nor Weaver discloses, teaches, or suggests the claimed element “an output device for displaying a timeline display, the timeline display comprising: an overview layer ...; and for each media clip, a track ... wherein the track and the overview layer are concurrently displayed” (emphasis added).

The Examiner argued that Zhao's timeline pane corresponds to the claimed element “overview layer” and that Zhao's layer pane corresponds to the claimed element “track” (Detailed Action, pages 2-3). Assume, *arguendo*, that this is correct. Applicant agrees with the Examiner that Zhao's timeline pane and layer pane are not concurrently displayed (Detailed Action, p. 4). For a detailed explanation, please see Amendment and Response to Office Action A filed July 17, 2007 (p. 27).

It follows that Zhao does not disclose, teach, or suggest the claimed element “an output device for displaying a timeline display, the timeline display comprising: an overview layer ...; and for each media clip, a track ... wherein the track and the overview layer are concurrently displayed.”

The Examiner argues that Weaver makes it “obvious” to concurrently display Zhao's timeline pane and layer pane (Detailed Action, p. 4). Applicant disagrees.

Weaver discusses a non-linear editing system (title). A timeline 401 is made up of a sequence of tracks 402, and each track 402 is made up of a sequence of events 403 comprised of video or other source material (§43; FIG. 4). An event 403 can comprise a sub-timeline, which collapses a series of events 403 into a single container or source, called a “nested source” (§63).

The Examiner argues that Weaver concurrently displays events (as in FIG. 5A) and sub-timelines (as in FIG. 5B) (Detailed Action, p. 4). Applicant disagrees.

FIG. 5A shows a timeline 501 that includes three discrete events 502, 503, and 504 (§64). FIG. 5B shows a sub-timeline 505 after the events 502, 503, and 504 have been moved from the timeline 501 to the sub-timeline 505 (§64). After the events 502, 503, and 504 have been moved, the timeline 501 (not shown) contains only a nested source 506 (§64). In other words, the timeline 501 no longer contains the three discrete events 502, 503, and 504. Thus, the events (as in FIG. 5A) and sub-timelines (as in FIG. 5B) are not concurrently displayed. As a result, Weaver does not suggest concurrently displaying Zhao’s timeline pane and layer pane.

Therefore, claim 1 is not obvious over Zhao in view of Weaver. Claims 34 and 69 recite similar language and are therefore also not obvious over Zhao in view of Weaver.

CLAIMS 30, 65, and 100

Claims 30-33, 65-68, and 100-103 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Greenfield in view of Foreman. Applicant respectfully traverses.

Claim 30, which has not been amended, recites:

A system for editing a project comprising a plurality of media clips, comprising an output device for displaying:

- a canvas, comprising a representation of the project, wherein the representation of the project comprises a plurality of selectable and spatially movable representations of the plurality of media clips that comprise the project, and wherein a location of a spatially movable representation represents where the media clip is displayed within the project; and

a timeline display representing a duration of the project, the timeline display comprising, for each currently selected representation of a media clip in the canvas, a timeline representation of the media clip; wherein the timeline display is activated in response to at least one spatially movable representation being selected, and wherein the timeline display is deactivated in response to no spatially movable representation being selected.

As recited in claim 30, a “project” comprises a plurality of media clips, and a “canvas” comprises a representation of the project (¶40; see element 1601 in FIGS. 16 and 19). The representation of the project comprises a plurality of selectable and spatially movable representations of media clips (¶81). A location of a spatially movable representation represents where (in two-dimensional space) the media clip is displayed within the project. For example, the location of the text object “tanzania” in FIG. 16 (shown surrounded by a rectangle with four circles) represents where (in two-dimensional space) the text object media clip is displayed within the project “The Serengeti.”

Claim 30 recites, in part, “selectable and spatially movable representations of the plurality of media clips that comprise the project, and wherein a location of a spatially movable representation represents where the media clip is displayed within the project” (emphasis added). Note that this portion of claim 30 mentions both media clips and representations of media clips. A media clip is, for example, a video. A representation of this media clip is, for example, a thumbnail image of the first frame of the video. Claim 30 states that a location of a spatially movable representation represents where the media clip is displayed within the project. For example, the location of the thumbnail image (e.g., within the canvas) represents where the video clip is displayed within the project.

Neither Greenfield nor Foreman discloses, teaches, or suggests the claimed element “a canvas, comprising a representation of the project, wherein the representation of the project comprises a plurality of selectable and spatially movable representations of the plurality of media clips that comprise the project, and wherein a location of a spatially movable

representation represents where the media clip is displayed within the project” (emphasis added).

The Examiner argues that FIG. 1 in Greenfield shows the claimed element “a canvas” (Detailed Action, p. 21). Specifically, the Examiner states that “[b]y moving a media clip representation from one act to another, the media clip would be displayed in the second act instead of the previous act” and “the media clip would be displayed in a different position on the project interface” (Detailed Action, pp. 21 and 24).

The Examiner’s statement confuses a media clip with a representation of a media clip. FIG. 1 of Greenfield shows representations of media clips (specifically, rectangles) and not media clips themselves. Claim 30 recites “a location of a spatially movable representation represents where the media clip is displayed within the project” (emphasis added). In Greenfield, moving a media clip representation from one act to another merely changes the location of the media clip representation, not the location of the media clip itself (e.g., within a project). Greenfield does not disclose, teach, or suggest where (in two-dimensional space) a media clip is displayed within a project, let alone that this value is represented by a location of a spatially movable representation.

Thus, Greenfield does not disclose, teach, or suggest the claimed element “a canvas, comprising a representation of the project, wherein the representation of the project comprises a plurality of selectable and spatially movable representations of the plurality of media clips that comprise the project, and wherein a location of a spatially movable representation represents where the media clip is displayed within the project.”

Foreman does not remedy this deficiency. For a detailed explanation, please see Amendment and Response to Office Action C filed June 4, 2008 (pp. 29-30).

Therefore, claim 30 is not obvious over Greenfield in view of Foreman, alone and in combination. Claims 65 and 100 recite similar language and are therefore also not obvious over Greenfield in view of Foreman, alone and in combination.

CLAIMS 104, 112, and 120

Claims 104, 111-112, 119-120, and 127 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Zhao in view of Fasciano further in view of Reder. Applicant respectfully traverses.

Claim 104, which has not been amended, recites:

In a media editing application, a method of moving a media clip to a destination location, wherein a second media clip already exists at the destination location, comprising:
receiving a user command to drag the media clip to the destination location; and
displaying, in response to receiving the user command and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command;

wherein the composite command composites the dragged media clip with the second media clip; and wherein the exchange command:

- replaces the entire second media clip with the entire dragged media clip responsive to the second media clip having a length equal to the length of the dragged media clip;
- replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip responsive to the second media clip having a length less than the length of the dragged media clip; and
- replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the entire dragged media clip responsive to the second media clip having a length greater than the length of the dragged media clip.

As recited in claim 104, “a method of moving a media clip to a destination location” includes receiving a user command to drag the clip to the destination location. In response to receiving the user command and in response to no time period having been selected, a drop menu is displayed. The drop menu comprises a plurality of commands that enables the user to choose how to integrate the dragged media clip at the destination location. The plurality of commands

can include a composite command (§59) and an exchange command (§63). The composite command composites the dragged media clip with the second media clip (§59).

The exchange command changes its behavior based on the length of the dragged media clip and the length of the second media clip (§63). Specifically, if the clips are of equal length, then the exchange command replaces the entire second media clip with the entire dragged media clip. If the dragged media clip is longer than the second media clip, then the exchange command replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip. If the second media clip is longer than the dragged media clip, then the exchange command replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the entire dragged media clip.

Zhao, Fasciano, and Reder do not disclose, teach, or suggest the claimed element “displaying, in response to receiving the user command and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command” wherein “the composite command composites the dragged media clip with the second media clip” and wherein “the exchange command: replaces the entire second media clip with the entire dragged media clip responsive to the second media clip having a length equal to the length of the dragged media clip; replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip responsive to the second media clip having a length less than the length of the dragged media clip; and replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the entire dragged media clip responsive to the second media clip having a length greater than the length of the dragged media clip” (emphasis added).

Applicant agrees with the Examiner that neither Zhao nor Reder discloses, teaches, or suggests the claimed element “displaying, in response to receiving the user command and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command” (Detailed Action, pp. 15 and 24).

The Examiner argues that Fasciano discloses both a composite command and an exchange command (Detailed Action, p. 25). Specifically, the Examiner argues that Fasciano’s overwrite placement corresponds to the claimed element “composite command” (Detailed Action, p. 25). Applicant disagrees.

Applicant agrees with the Examiner that in Fasciano’s overwrite placement, a clip that is dragged into a timeline overwrites the current material (Detailed Action, p. 25). However, overwriting material is not the same thing as compositing. Applicant’s specification states that editing options can include both compositing and overwriting (§56). If compositing and overwriting were the same thing, then they would not both be listed. Also, a composite command causes clips to remain on screen simultaneously; one clip does not overwrite another clip (§59). Thus, Fasciano’s overwrite placement cannot correspond to the claimed element “composite command.”

The Examiner also argues that Fasciano’s “replace command” corresponds to the claimed element “exchange command” (Detailed Action, p. 25). Applicant disagrees.

Since Fasciano does not discuss a “replace command,” Applicant assumes that the Examiner is referring to Fasciano’s “replace placement mode.” In Fasciano, when a region in the timeline has been selected, the placement mode is “replace” (6:39-49). When no region in the timeline has been selected, the placement mode is “place” (6:39-49). Claim 104 recites, in part,

“in response to no time period having been selected.” In Fasciano, if no time period (e.g., timeline region) has been selected, then the placement mode is “place.” Thus, Fasciano’s replace placement mode cannot correspond to the claimed element “exchange command.”

Thus, Fasciano does not disclose, teach, or suggest the claimed element “displaying, in response to receiving the user command and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command” wherein “the composite command composites the dragged media clip with the second media clip” and wherein “the exchange command: replaces the entire second media clip with the entire dragged media clip responsive to the second media clip having a length equal to the length of the dragged media clip; replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip responsive to the second media clip having a length less than the length of the dragged media clip; and replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the entire dragged media clip responsive to the second media clip having a length greater than the length of the dragged media clip” (emphasis added).

Therefore, claim 104 is patentable over Zhao, Fasciano, and Reder, alone and in combination. Claims 112 and 120 recite similar language and are therefore also patentable over Zhao, Fasciano, and Reder, alone and in combination.

OTHER CLAIMS

Claims 17-24, 51-59, 86-94 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhao in view of Weaver further in view of Fasciano. Claims 26-29, 61-64, and

96-99 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Zhao in view of Weaver further in view of Foreman.

Applicant respectfully traverses. In addition, Applicant traverses the Examiner's assertions regarding the disclosures of Zhao, Weaver, Fasciano, and Foreman and the motivation to combine Zhao, Weaver, and Fasciano; and Zhao, Weaver, and Foreman.

The claims not specifically mentioned above depend from their respective base claims, which were shown to be patentable over Zhao in view of Weaver, Greenfield in view of Foreman, and Zhao in view of Fasciano further in view of Reder. In addition, these claims recite other features not included in their respective base claims. Thus, these claims are patentable for at least the reasons discussed above, as well as for the elements that they individually recite.

Applicant respectfully submits that the pending claims are allowable over the cited art of record and requests that the Examiner allow this case. The Examiner is invited to contact the undersigned in order to advance the prosecution of this application.

Respectfully submitted,
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